

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

ORION IP, LLC,

v.

COSTCO WHOLESALE CORP., et al.

Civil Action No. 6:07-CV-106 LED

JURY

**STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE**

The plaintiff, Orion IP, LLC, and defendant, The Goodyear Tire & Rubber Company, pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims in this action WITH PREJUDICE, subject to the Settlement Agreement between the parties, with each party to bear its own costs, expenses and attorneys fees.

Date: September 26, 2007

Respectfully submitted,

**THE GOODYEAR TIRE & RUBBER  
COMPANY**

**ORION IP, LLC**

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**CERTIFICATE OF SERVICE**

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served today with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

Dated: September 26, 2007

/s/ John J. Edmonds  
John J. Edmonds